

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

EVIN KING,)	CASE NO. 1:18 CV 2353
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>SHOW CAUSE ORDER</u>
)	
DENNIS GUNSCH, et al.,)	
)	
Defendants.)	

On March 19, 2019, Plaintiff Evin King filed an Amended Complaint. Doc #: 45.

King, who was released from prison in April 2017 after serving 23 years for a murder he did not commit, alleges numerous state and federal claims against six current or former investigating and supervising officers of the Cleveland Police Department, then-County Coroner Elizabeth Balraj and two of her former employees, Cuyahoga County, Ohio and the City of Cleveland.

On March 29, 2019, Defendant Kay May filed a Notice of Suggestion of Bankruptcy. Doc #: 46. Therein, May asserted that she filed a voluntary petition for bankruptcy on May 11, 2015, but reporting that her debts have not been discharged and her case has not been “converted.” *Id.* at 1. Furthermore,

Pursuant to 11 U.S.C. § 362(a) of the Bankruptcy Code, Defendant/Debtor May’s filing of a Chapter 13 Bankruptcy petition *may give rise to an automatic stay*. Furthermore, relief from the automatic stay may be sought by filing a motion in the United States Bankruptcy Court pursuant to 11 U.S.C. § 362(d). Accordingly, Plaintiff may need to seek relief from stay before his alleged state and federal claims proceed against Ms. May and/or her purported co-conspirators.

*Id.*¹

¹King has filed an Adversary Complaint under Section 523(a)(6) in May’s bankruptcy case, notifying the parties therein of this civil rights case and seeking a ruling that “the debt, which

The Court hereby **DIRECTS** all parties to file a response, **no later than April 15, 2019**, explaining whether (and if so, how) Defendant May's bankruptcy affects the litigation of this case as a whole or the claims against Defendant May specifically.

IT IS SO ORDERED.

/s/ Dan A. Polster April 5, 2019
Dan Aaron Polster
United States District Judge

is yet to be determined as the claim is currently pending, is non-dischargeable under 11 U.S.C. § 523(a)(6).” *In re: Kay A. May*, Case No. 15-51137-amk, Doc #: 38 ¶ 7 (N.D. Ohio Apr. 4, 2019).